



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

JAMES E. MCGREEVEY
Governor

www.state.nj.us/health

CLIFTON R. LACY, M.D.
Commissioner

April 7, 2004

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ira P. Monka, D.O.
Medical Director and CEO
Medical Institute of New Jersey
11 Saddle Road
Cedar Knolls, NJ 07927

**Re: Notice to Cease and Desist Operation
of Computerized Axial Tomography**

Dear Dr. Monka:

The New Jersey Department of Health and Senior Services (Department) has determined that the Medical Institute of New Jersey is engaged in the unlicensed and unauthorized operation of a health care service subject to the provisions of the Health Care Facilities Planning Act (Act), at N.J.S.A. 26:2H-1 et seq. The Act requires that certain health care services may operate only under license from the Department. During an initial licensure inspection of the above-noted entity at 11 Saddle Road, Cedar Knolls, NJ, conducted on March 11, 2004, Department inspectors directly observed the operation of computerized axial tomography (CT) services, a health care service regulated by the Act, and further found medical records indicating this health care service has been an established practice of this entity for some time.

By the authority granted under N.J.S.A. 26:2H-5, 14 & 15, and the rules promulgated thereto at N.J.A.C. 8:43E-3.11, **I HEREBY ORDER THE MEDICAL INSTITUTE OF NEW JERSEY TO IMMEDIATELY CEASE AND DESIST OPERATION OF COMPUTERIZED AXIAL TOMOGRAPHY AT THE ABOVE LOCATION.** This order to cease the unauthorized and unlicensed operation of CT services **shall be in effect immediately upon receipt of this notice unless and until the Department issues written authorization to the Medical Institute of New Jersey to operate as an ambulatory care facility providing CT services.**

Please be advised that such authorization from the Department will be granted only when each of the following conditions has been satisfied:

1. The Department determines that the above-noted entity, in its timely submitted plan of correction, satisfactorily addresses all deficiencies found during the March 11th survey, pursuant to the Manual of Standards for Licensing of Ambulatory Care Facilities, as set forth in N.J.A.C. 8:43A-1 et seq. A statement of deficiencies shall be forwarded under separate cover.
2. The Department's Acute Care Survey Program recommends licensure of the above-noted entity following the correction of all deficiencies cited in the statement of deficiencies from the March 11th initial licensure inspection. The Acute Care Survey Program may conduct subsequent inspections prior to making its recommendations.
3. The Department has received payment in full from the above-noted entity for any civil monetary penalties that may be issued, pursuant to N.J.A.C. 8:43E-3.11(b). A letter detailing regulatory violations and penalties imposed shall be forwarded under separate cover, if indicated.
4. The Department issues a license to the Medical Institute of New Jersey to operate as an ambulatory care facility providing CT services.

Failure to comply with this order may result in a civil action brought against the Medical Institute of New Jersey. For questions related to this matter, please contact Assistant Commissioner Amie Thornton at 609-292-9793.

Sincerely,

Marilyn Dahl
Deputy Commissioner

c: Lisa Eisenbud, Chief of Staff
Amie Thornton, Assistant Commissioner
R. Charbonneau, Esq., Office of Legal and Regulatory Affairs
J. Calabria, Director
A. Gibson, Director
M. Miller, Esq.